

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF OKLAHOMA**

VIDEO GAMING TECHNOLOGIES, INC.,	)	
	)	
Plaintiff,	)	
	)	
v.	)	Case No. 17-cv-00454-GKF-JFJ
	)	
CASTLE HILL STUDIOS LLC	)	
(d/b/a CASTLE HILL GAMING);	)	
CASTLE HILL HOLDING LLC	)	
(d/b/a CASTLE HILL GAMING); and	)	
IRONWORKS DEVELOPMENT, LLC	)	
(d/b/a CASTLE HILL GAMING),	)	
	)	
Defendants.	)	

**ORDER**

Before the Court are Defendants' Objections to Plaintiff's Deposition Designations, Discovery Response Designations and Deposition Counter-Designations [Doc. 384]. Upon review of the objections, the court enters its rulings as set forth below.

Counsel are advised that they should significantly edit their extensive designations to the extent they wish to read deposition testimony at trial, as the Court has allotted two trial weeks from September 16, 2019, to September 27, 2019, for this case, and all evidence relevant to trial issues must be presented on the record during that two week trial setting. Counsel shall also edit out testimony relating to topics as to which the Court has granted summary judgment in Doc. Nos. 344 and 373.

**I. OBJECTIONS TO PLAINTIFF'S DEPOSITION DESIGNATIONS**

**A. James Berger – September 26, 201**

Designation	Objection	Ruling
Pg: 5 Ln: 11 – 13	Objection: Hearsay; prejudice; Castle Hill asserts general objections to the entirety of the deposition designations	Overruled, as VGT may designate testimony from Mr. Berger for purposes of cross-examination.

Designation	Objection	Ruling
	as VGT cannot designate testimony from Castle Hill's expert witness.	
Pg: 14 Ln: 16 - Pg: 15 Ln: 15	Objection: Relevance	Overruled
Pg: 90 Ln: 24 - Pg: 91 Ln: 5	Objection: Relevance	Overruled
Pg: 96 Ln: 21 - Pg: 98 Ln: 6	Objection: Relevance	Overruled as to 96:21 to 97:8; Sustained as to 97:9 to 98:6
Pg: 106 Ln: 24	Objection: Relevance; calls for speculation	The court interprets this objection to be to the testimony at lines 20-23, as line 24 is the objection itself. Overruled
Pg: 127 Ln: 25 - Pg: 129 Ln: 4	Objection: Relevance	Overruled
Pg: 135 Ln: 14 – 20	Objection: Calls for a legal opinion	Sustained
Pg: 146 Ln: 24 - Pg: 147 Ln: 21	Objection: Calls for speculation; lack of foundation; assumes facts not in evidence	Overruled, based on the specific bases for the objection.

**B. Brandon Booker – July 10, 2018<sup>1</sup>**

Designation	Objection	Ruling
62:7 - 62:21	Objection: Relevance; hearsay; calls for speculation	Overruled
66:18 - 67:14	Objection: Relevance; hearsay	Sustained
67:23 - 68:13	Objection: Relevance; hearsay; speculation	Sustained
70:10 - 70:16	Objection: Relevance; hearsay	Sustained
72:3 - 72:18	Objection: Relevance	Sustained
73:16 - 74:8	Objection: Relevance	Sustained
80:25 - 82:4	Objection: Relevance	Sustained
119:3 - 119:7	Objection: Relevance; hearsay	Overruled
119:8 - 120:12	Objection: Relevance; hearsay	Overruled
120:15 - 120:19	Objection: Relevance; hearsay; argumentative; document contains hearsay	Overruled
123:21 - 124:20	Objection: Relevance; hearsay; argumentative; document contains hearsay	Sustained

<sup>1</sup> The Court has ruled on the revised designations and objections to Mr. Booker's deposition testimony, which were provided to the Court on August 23, 2019.

Designation	Objection	Ruling
124:23 - 127:9	Objection: Relevance; hearsay; argumentative; document contains hearsay	Sustained
130:18 - 130:23	Objection: Relevance; hearsay; document contains hearsay	Document not provided to determine hearsay objection. Otherwise Overruled.
130:25 - 131:14	Objection: Relevance; hearsay; document contains hearsay	Document not provided to determine hearsay objection. Otherwise Overruled.
134:21 - 135:1	Objection: Relevance	Overruled
164:11 - 164:16	Objection: Relevance; hearsay; vague; compound question; calls for speculation	Overruled
164:19 - 164:19	Objection: Relevance; hearsay; vague; compound question; calls for speculation	Overruled
167:11 - 167:19	Objection: Relevance; hearsay; calls for speculation	Overruled
169:6 - 170:22	Objection: Double hearsay; relevance	Sustained
171:8 - 171:9	Objection: Relevance; hearsay; argumentative	Sustained
171:12 - 171:18	Objection: Relevance; hearsay; argumentative	Sustained
181:24 - 182:4	Objection: Relevance	Sustained
182:24 - 185:22	Objection: Relevance; hearsay	Overruled, <u>see</u> [Doc. 373, p. 59]
186:18 - 187:3	Objection: Relevance; hearsay	Overruled
188:3 - 189:22	Objection: Relevance; hearsay; calls for speculation; calls for a lay opinion	Overruled
206:6 - 206:25	Objection: Relevance, as there is absolutely no claim that Mr. Booker ever used any VGT code at Castle Hill in any manner; argumentative; calls for speculation	Overruled
207:18 - 208:2	Objection: Relevance, as there is absolutely no claim in the complaint that Mr. Booker or Mr. Morgan ever used any VGT code at Castle Hill in any manner; argumentative; calls for	Overruled

Designation	Objection	Ruling
	speculation; calls for a legal conclusion	
208:4 - 209:21	Objection: Relevance, as there is absolutely no claim in the complaint that Mr. Booker or Mr. Morgan ever used any VGT code at Castle Hill in any manner; argumentative; calls for speculation; calls for a legal conclusion	Overruled
209:24 - 209:24	Objection: Relevance, as there is absolutely no claim in the complaint that Mr. Booker or Mr. Morgan ever used any VGT code at Castle Hill in any manner; argumentative; calls for speculation; calls for a legal conclusion	Overruled
217:6-217:7	Objection: Relevance, as there is absolutely no claim that Mr. Booker ever used any VGT code at Castle Hill in any manner; argumentative; calls for speculation	Sustained
217:10 - 217:20	Objection: Relevance, as there is absolutely no claim that Mr. Booker ever used any VGT code at Castle Hill in any manner; argumentative; calls for speculation	Sustained
219:11 - 219:19	Objection: Relevance, as there is absolutely no claim that Mr. Booker ever used any VGT code at Castle Hill in any manner; argumentative; calls for speculation	Sustained
222:8 - 222:19	Objection: Relevance, as there is absolutely no claim in the Complaint that Mr. Booker or Mr. Morgan ever used any VGT code at Castle Hill in any manner; argumentative; calls for speculation	Overruled
222:22 - 222:22	Objection: Relevance, as there is absolutely no claim in the	Overruled

Designation	Objection	Ruling
	Complaint that Mr. Booker or Mr. Morgan ever used any VGT code at Castle Hill in any manner; argumentative; calls for speculation	
225:18- 225:25	Objection: Relevance; document contains hearsay	Overruled; Document not provided to determine hearsay objection.
239:8 - 240:18	Objection: Relevance; hearsay calls for speculation	Sustained
242:20 - 242:23	Objection: Relevance; hearsay	Sustained
243:21 - 245:22	Objection: Relevance; hearsay	Sustained
248:15 - 248:20	Objection: Relevance; hearsay	Sustained
252:18 - 253:9	Objection: Relevance, as Mr. Booker is not a party to this lawsuit and there are no allegations in the complaint that he has violated this agreement; hearsay	Overruled
253:24 - 258:4	Objection: Relevance, as Mr. Booker is not a party to this lawsuit and there are no allegations in the complaint that he has violated this agreement; hearsay; argumentative; calls for legal conclusions; calls for lay opinion testimony	Sustained
268:10 - 269:1	Objection: Relevance, as Mr. Booker is not a party to this lawsuit and there are no allegations in the complaint that he has violated this agreement; hearsay	Overruled

**C. Sarah Carlson – June 21, 2018**

Designation	Objection	Ruling
Pg: 179 Ln: 16 – 17	Objection: Calls for a lay opinion; the witness is not competent to testify about another's intent; calls for speculation.	Overruled
Pg: 179 Ln: 23 - Pg: 180 Ln: 4	Objection: Hearsay; calls for speculation.	Overruled, as the question to the former VGT market researcher goes to why VGT

Designation	Objection	Ruling
		kept the red screen on all their games.

**D. Daniel Fulton – May 31, 2018**

Designation	Objection	Ruling
Pg: 24 Ln: 17 - Pg: 25 Ln: 4	Objection: Relevance, there is no allegation in this action that Mr. Fulton breached his agreement with VGT	Overruled
Pg: 25 Ln: 19 – 22	Objection: Relevance	Overruled
Pg: 151 Ln: 18 - Pg: 152 Ln: 8	Objection: Hearsay	Overruled
Pg: 153 Ln: 13 - Pg: 154 Ln: 16	Objection: Hearsay; misleading question regarding "modifying" VGT paytables	Overruled
Pg: 174 Ln: 10 – 23	Objection: Calls for improper opinion/conclusions.	Overruled
Pg: 186 Ln: 20 - Pg: 187 Ln: 5	Objection: Witness's drawing is not evidence; relevance; no probative value; hearsay	Overruled
Pg: 187 Ln: 17 - Pg: 188 Ln: 7	Objection: Relevance; no probative value	Overruled
Pg: 195 Ln: 13 - Pg: 196 Ln: 17	Objection: Hearsay; counsel's argument with the witness regarding how to calculate bingo probabilities is not a proper deposition designation; lacks relevance and probative value	Overruled
Pg: 212 Ln: 3 – 6	Objection: Contains hearsay; lack of foundation	Overruled
Pg: 226 Ln: 17 – 24	Objection: Exhibit contains hearsay	Overruled. At trial, CH may raise a hearsay objection to the exhibit.

**E. Daniel Fulton, 30(b)(6) Corporate Designee – August 1, 2018**

Designation	Objection	Ruling
Pg: 21 Ln: 3	Objection: Relevance	Overruled
Pg: 21 Ln: 12;	Objection: Relevance	Overruled
Pg: 22 Ln: 21 - Pg: 23 Ln: 2	Objection: Relevance; calls for lay opinion testimony	Overruled
Pg: 32 Ln: 17 - Pg: 33 Ln: 20	Objection: Relevance; calls for lay opinion testimony	Overruled

Designation	Objection	Ruling
Pg: 35 Ln: 19 – 25	Objection: Relevance	Overruled
Pg: 41 Ln: 8 – 17	Objection: Relevance; mischaracterizes witnesses prior testimony; calls for lay opinion testimony; lack of foundation	Overruled

**F. Joshua Larson – April 24, 2018**

Designation	Objection	Ruling
Pg: 17 Ln: 4 – 6	Objection: Speculation	Overruled
Pg: 32 Ln: 18 - Pg: 33 Ln: 9	Objection: Relevance	Overruled
Pg: 80 Ln: 13 – 24	Objection: Relevance, there are no allegations in this action that Mr. Larson either breached this agreement or in any way violated any of his obligations to VGT thereunder; also asking witness for legal interpretation of written document	Overruled
Pg: 100 Ln: 8 – 14	Objection: Speculation; not a corporate designee to testify as to Castle Hill's goals	Overruled
Pg: 101 Ln: 10 – 13	Objection: Calls for speculation regarding Castle Hill's goals	Overruled
Pg: 101 Ln: 25 - Pg: 102 Ln: 6	Objection: Speculation	Overruled
Pg: 105 Ln: 15 – 18	Objection: Asked and answered; argumentative	Overruled
Pg: 116 Ln: 15 – 17	Objection: Hearsay document	Overruled
Pg: 118 Ln: 4 – 6	Objection: Hearsay	Overruled
Pg: 118 Ln: 17 – 19	Objection: Hearsay	Overruled
Pg: 119 Ln: 17 - Pg: 124 Ln: 8	Objection: Relevance	Overruled
Pg: 122 Ln: 12 – 13	Objection: Hearsay	Overruled
Pg: 122 Ln: 20 - Pg: 123 Ln: 8	Objection: Hearsay	Overruled
Pg: 123 Ln: 23 – 25	Objection: Hearsay	Overruled
Pg: 147 Ln: 13 - Pg: 150 Ln: 8	Objection: Entire line of questioning not relevant	Overruled
Pg: 148 Ln: 3 – 8	Objection: Speculation (regarding what "Castle Hill did")	Overruled
Pg: 148 Ln: 19 – 20	Objection: Speculation	Overruled
Pg: 149 Ln: 13 – 16	Objection: Hearsay	Overruled

Designation	Objection	Ruling
Pg: 217 Ln: 24 - Pg: 218 Ln: 2	Objection: Hearsay	Overruled
Pg: 218 Ln: 6 – 7	Objection: Hearsay	Overruled
Pg: 218 Ln: 10 – 13	Objection: Speculation/improper opinion; hearsay	Sustained as to 218:10-18
Pg: 218 Ln: 20 – 24	Objection: Speculation/improper opinion; hearsay	Sustained as to 218:20 to 219:2
Pg: 219 Ln: 8 – 13	Objection: Hearsay (regarding what the Choctaw wanted); relevance	Overruled to the extent not offered for the truth of the matter asserted; otherwise Sustained
Pg: 219 Ln: 14 – 19	Objection: Relevance (this feature has not been raised as part of VGT's trade dress argument)/speculation	Sustained
Pg: 222 Ln: 2 – 7	Objection: Speculation/improper opinion	Sustained
Pg: 229 Ln: 6 – 11	Objection: Document contains hearsay; relevance	Document not provided to evaluate objection; Otherwise Overruled.
Pg: 238 Ln: 22 – 25	Objection: Email contains hearsay	Document not provided to evaluate objection; Otherwise Overruled.
Pg: 240 Ln: 16 – 21	Objection: Speculation/relevance	Overruled
Pg: 243 Ln: 8 – 11	Objection: Calls for hearsay	Sustained
Pg: 243 Ln: 22 - Pg: 244 Ln: 2	Objection: Hearsay	Overruled
Pg: 251 Ln: 7 - 9	Objection: Document contains hearsay	Document not provided to evaluate objection; Otherwise Overruled.
Pg: 253 Ln: 16 - 18	Objection: Hearsay	Overruled
Pg: 253 Ln: 20 - 24	Objection: Speculation; hearsay	Overruled
Pg: 258 Ln: 17 - Pg: 259 Ln: 13	Objection: Speculation based on Mr. Larson's statements in 259:24-260:6, it appears that he is unaware of the detail's regarding the RAM-clear story nor the reasons a RAM-clear was implemented	Overruled
Pg: 259 Ln: 21 - 23	Objection: Speculation	Overruled
Pg: 266 Ln: 9 - 11	Objection: Speculation regarding another witness's hearsay statement	Overruled
Pg: 267 Ln: 6 – 8	Objection: Document contains hearsay	Document not provided to assess objection; Otherwise Overruled.
Pg: 268 Ln: 18 - 22	Objection: Hearsay	Overruled



<b>Designation</b>	<b>Objection</b>	<b>Ruling</b>
Pg: 268 Ln: 23 - Pg: 269 Ln: 5	Objection: Hearsay	Overruled
Pg: 269 Ln: 10 - 12	Objection: Speculation	Overruled
Pg: 269 Ln: 22 - 25	Objection: Relevance	Sustained
Pg: 271 Ln: 16 - 17	Objection: Asked and answered	Sustained
Pg: 272 Ln: 12 – 16	Objection: Asked and answered	Sustained
Pg: 273 Ln: 7 - 11	Objection: Document contains hearsay	Document not provided to assess objection; Otherwise Overruled.
Pg: 279 Ln: 10 - 14	Objection: Speculation/improper opinion	Overruled
Pg: 279 Ln: 17 – 23	Objection: Speculation/improper opinion	Overruled
Pg: 280 Ln: 6 - 12	Objection: Speculation/improper opinion	Overruled
Pg: 281 Ln: 2 – 5	Objection: Speculation/improper opinion	Overruled
Pg: 281 Ln: 9 – 10	Objection: Speculation/improper opinion	Overruled
Pg: 281 Ln: 14 – 15	Objection: Speculation	Overruled
Pg: 281 Ln: 17 - 25	Objection: Speculation/improper opinion/hearsay	Overruled
Pg: 282 Ln: 2 – 12	Objection: Speculation/improper opinion	Overruled
Pg: 285 Ln: 12 - 16	Objection: Speculation/improper opinion; argumentative question	Overruled
Pg: 286 Ln: 16 – 20	Objection: Speculation/improper opinion	Overruled

**G. Aaron Milligan – February 9, 2018**

<b>Designation</b>	<b>Objection</b>	<b>Ruling</b>
Pg: 60 Ln: 11 - 22	Objection: Relevance: there are no allegations in this action that Mr. Milligan either breached this agreement or in any way violated any of his obligations to VGT thereunder. The agreement was also superseded by subsequent agreements as testified to earlier.	Overruled
Pg: 65 Ln: 13 - Pg: 66 Ln: 11	Objection: Relevance: there are no allegations in this action that Mr. Milligan either: 1) misappropriated VGT confidential information or trade secrets:	Overruled

Designation	Objection	Ruling
	or 2) provided any such information to Castle Hill or in any way used it in his work for Castle Hill.	
Pg: 68 Ln: 24 - Pg: 70 Ln: 18	Objection: Relevance: there are no allegations in this action that Mr. Milligan either: 1) misappropriated VGT confidential information or trade secrets: or 2) provided any such information to Castle Hill or in any way used it in his work for Castle Hill.	Overruled
Pg: 71 Ln: 10 - 18	Objection: Relevance: there are no allegations in this action that Mr. Milligan either: 1) misappropriated VGT confidential information or trade secrets: or 2) provided any such information to Castle Hill or in any way used it in his work for Castle Hill; also FRE 701 - question calls for improper opinion	Overruled
Pg: 74 Ln: 1 - 4	Objection: Relevance: there are no allegations in this action that Mr. Milligan either: 1) misappropriated VGT confidential information or trade secrets: or 2) provided any such information to Castle Hill or in any way used it in his work for Castle Hill.	Overruled
Pg: 90 Ln: 25 - Pg: 91 Ln: 9	Objection: FRE 701 - improper opinion/speculation	Overruled
Pg: 96 Ln: 19 – 25	Objection: Lack of foundation	Overruled
Pg: 98 Ln: 18 - Pg: 99 Ln: 22	Objection: Relevance	Overruled
Pg: 161 Ln: 17 - 19	Objection: FRE 701 - question calls for speculation	Overruled
Pg: 176 Ln: 25 - Pg: 177 Ln: 2	Objection: FRE 701 – speculation	Overruled
Pg: 201 Ln: 23 - Pg: 202 Ln: 14	Objection: Relevance	Overruled
Pg: 203 Ln: 11 - 21	Objection: FRE 701 - Solicits improper opinion/speculation	Overruled
Pg: 203 Ln: 17 - Pg: 205 Ln: 10	Objection: Relevance; lay opinion testimony; speculation	Overruled
Pg: 216 Ln: 22 - 25	Objection: FRE 701 - question calls for speculation	Overruled
Pg: 218 Ln: 17 - 20	Objection: FRE 701 - question calls for speculation	Overruled

<b>Designation</b>	<b>Objection</b>	<b>Ruling</b>
Pg: 222 Ln: 11 – 15	Objection: FRE 701- calls for speculation	Overruled
Pg: 222 Ln: 16 - 19	Objection: FRE 703 - question calls for speculation	Overruled
Pg: 227 Ln: 24 - Pg: 230 Ln: 10	Objection: Relevance; hearsay; double hearsay; triple hearsay; calls for speculation; lack of foundation	Overruled
Pg: 229 Ln: 25 - Pg: 230 Ln: 2	Objection: FRE 701 - question calls for speculation	Overruled
Pg: 238 Ln: 18 - Pg: 239 Ln: 2	Objection: Relevance	Sustained

**H. Seth Morgan – July 13, 2018**

<b>Designation</b>	<b>Objection</b>	<b>Ruling</b>
Pg: 17 Ln: 16 - Pg: 18 Ln: 15	Objection: Relevance (in light of ruling on VGT's summary judgment motion)	Sustained
Pg: 27 Ln: 7 – 21	Objection: Overall objection to testimony/evidence regarding PIE as irrelevant and lacking probative value	Sustained
Pg: 46 Ln: 1 - 21	Objection: Overall objection to testimony/evidence regarding PIE as irrelevant and lacking probative value	Sustained
Pg: 46 Ln: 22 - Pg: 47 Ln: 19	Objection: Overall objection to testimony/evidence regarding PIE as irrelevant and lacking probative value	Sustained
Pg: 48 Ln: 3 - Pg: 50 Ln: 10	Objection: Overall objection to testimony/evidence regarding PIE as irrelevant and lacking probative value	Sustained
Pg: 70 Ln: 7 – 13	Objection: Relevance; hearsay	Overruled
Pg: 74 Ln: 14 - Pg: 77 Ln: 6	Objection: Hearsay; calls for speculation	Overruled
Pg: 76 Ln: 5 - Pg: 77 Ln: 6	Objection: Relevance	Overruled
Pg: 93 Ln: 17 – 21	Objection: Argumentative; calls for legal conclusion	Overruled
Pg: 140 Ln: 12 - Pg: 141 Ln: 3	Objection: Relevance	Sustained
Pg: 142 Ln: 5 – 8	Objection: Relevance	Sustained
Pg: 145 Ln: 1 – 3	Objection: Relevance; conclusory statement by counsel; not witness testimony	Sustained
Pg: 145 Ln: 5 - Pg: 147 Ln: 14	Objection: Relevance	Sustained

Designation	Objection	Ruling
Pg: 164 Ln: 23 - Pg: 167 Ln: 4	Objection: Entire line of questioning is calling for improper opinion	Sustained as to 164:23 to 165:7; Otherwise Overruled
Pg: 165 Ln: 6	Objection: Calls for speculation	Sustained
Pg: 165 Ln: 14	Objection: Calls for speculation	Moot, per ruling above
Pg: 166 Ln: 11	Objection: Vague and ambiguous	Overruled
Pg: 166 Ln: 19	Objection: Vague and ambiguous; calls for speculation	Overruled
Pg: 167 Ln: 1	Objection: Vague and ambiguous; hearsay	Overruled
Pg: 169 Ln: 7 - 20	Objection: Hearsay	Overruled
Pg: 177 Ln: 16	Objection: Vague and ambiguous; lack of foundation; calls for improper opinion	Overruled
Pg: 178 Ln: 15 - 21	Objection: Lack of foundation; hearsay; witness not a party to the communication	Sustained
Pg: 183 Ln: 19 - Pg: 186 Ln: 7	Objection: Relevance; hearsay	Overruled
Pg: 193 Ln: 20 - 23	Objection: Vague, ambiguous, confusing as to what is meant by "confidential information" or "know how"; calls for a legal conclusion	Sustained
Pg: 194 Ln: 14 - 16	Objection: Calls for a legal conclusion; relevance	Overruled
Pg: 195 Ln: 4 – 8	Objection: Calls for a legal conclusion; relevance	Overruled
Pg: 197 Ln: 9 - Pg: 199 Ln: 1	Objection: Asking for improper opinions and legal conclusions	Overruled
Pg: 197 Ln: 15	Objection: Calls for a legal conclusion	Overruled
Pg: 197 Ln: 22	Objection: Calls for a legal conclusion	Overruled
Pg: 198 Ln: 3	Objection: Calls for a legal conclusion	Overruled
Pg: 198 Ln: 10	Objection: Calls for a legal conclusion	Overruled
Pg: 198 Ln: 23	Objection: Vague and ambiguous; lack of foundation; calls for speculation	Overruled
Pg: 204 Ln: 14 - Pg: 205 Ln: 17	Objection: Hearsay; asking witness what another witness meant calls for speculation	Overruled
Pg: 205 Ln: 4	Objection: Calls for speculation	Sustained as to 205:2-6
Pg: 207 Ln: 13 – 25	Objection: Relevance	Overruled
Pg: 224 Ln: 9 - 23	Objection: Hearsay; speculation regarding another witness's statements; relevance	Sustained as to 224:21-23; Otherwise Overruled

<b>Designation</b>	<b>Objection</b>	<b>Ruling</b>
Pg: 224 Ln: 21 - Pg: 225 Ln: 11	Objection: Calls for speculation	Sustained as to 224:21-23; Otherwise Overruled
Pg: 225 Ln: 17	Objection: Answer was responsive	Sustained
Pg: 225 Ln: 20 - Pg: 226 Ln: 15	Objection: Calls for speculation; asked and answered	Overruled
Pg: 225 Ln: 22	Objection: Calls for speculation; asked and answered	Overruled
Pg: 225 Ln: 25	Objection: Calls for speculation; asked and answered	Overruled
Pg: 226 Ln: 19 – 24	Objection: Relevance	Overruled
Pg: 226 Ln: 25 - Pg: 227 Ln: 14	Objection: Asked and answered	Sustained as to 227:5-14; Otherwise Overruled

**I. Alan Roireau – May 15, 2018**

<b>Designation</b>	<b>Objection</b>	<b>Ruling</b>
Pg: 30 Ln: 12 - 16	Objection: Calls for a legal conclusion	Overruled
Pg: 32 Ln: 23 - 25	Objection: Leading; calls for legal conclusion	Overruled
Pg: 203 Ln: 21 - Pg: 206 Ln: 3	Objection: This line of questioning is an attempt to use an email written by the witness and drafted in five minutes as a substitute for a formal valuation of technology. The witness did not have any of the underlying data, has no education or experience in conducting valuation analyses, does not have personal knowledge of the details of the background facts, and is speculating.	Overruled
Pg: 261 Ln: 22 - Pg: 262 Ln: 3	Objection: Any understanding the witness has of the claims asserted is not relevant to the merits of the claims, particularly since the protective order restricts disclosure of plaintiff's explanation of the basis for its claims.	Overruled
Pg: 264 Ln: 2 - 10	Objection: Based on this being part of the same line of questioning as on pages 261-262	Overruled
Pg: 276 Ln: 7 - Pg: 277 Ln: 13	Objection: The email being discussed is inadmissible hearsay, and dialogue about Castle Hill having an	Sustained

Designation	Objection	Ruling
	"inspirational mission" is not relevant to the claims or defenses.	
Pg: 278 Ln: 24 - Pg: 279 Ln: 15	Objection: This line of questioning concerns the content of a document that is inadmissible hearsay.	Overruled
Pg: 289 Ln: 6 - 17	Objection: This line of questioning elicited speculation, is irrelevant to the claims and defenses, and is hearsay.	Sustained
Pg: 291 Ln: 8 - 23	Objection: This line of questioning is irrelevant to the claims and defenses.	Sustained
Pg: 292 Ln: 2 - 11	Objection: This line of questioning, which continues through page 293, is irrelevant to the claims and defenses.	Sustained
Pg: 296 Ln: 8 - 13	Objection: The question calls for speculation, and the answer shows a lack of personal knowledge and is irrelevant.	Sustained
Pg: 296 Ln: 19 - Pg: 297 Ln: 10	Objection: The witness does not have personal knowledge and the information is irrelevant.	Sustained
Pg: 320 Ln: 3 - Pg: 322 Ln: 9	Objection: The answers to this line of questioning establish that the documents used for questioning are not relevant to the claims in this case.	Sustained as to 320:3-19; Otherwise Overruled
Pg: 339 Ln: 1 - Pg: 340 Ln: 1	Objection: This line of questioning about return to player amounts is irrelevant, as it does not relate to a pending claim.	Overruled
Pg: 348 Ln: 24 - Pg: 349 Ln: 1	Objection: The question calls for a legal conclusion. The question also is not relevant, since Castle Hill's trade secrets are not at issue in this case.	Sustained

**J. Alan Roireau, 30(b)(6) Corporate Designee – August 1, 2018**

Designation	Objection	Ruling
Pg: 14 Ln: 7 - 11	Objection: The individual engineers at Castle Hill who used to work for VGT are not defendants in this case, and whether they may have taken information from VGT when they left their employment is not relevant to whether Castle Hill misappropriated such information.	Sustained

Designation	Objection	Ruling
Pg: 16 Ln: 19 - 24	Objection: This question is not relevant to whether Castle Hill allegedly misappropriated VGT confidential information.	Overruled
Pg: 17 Ln: 18 - Pg: 18 Ln: 1	Objection: Castle Hill had no duty to make the inquiry asked about. Castle Hill also did not have the benefit of the discovery material in this action available to it to make such an inquiry because of the protective order.	Overruled
Pg: 17 Ln: 18 - Pg: 18 Ln: 3	Objection: Whether something is "possible" calls for speculation, and whether a VGT former employee took confidential information is not relevant to whether Castle Hill misappropriated such information.	Overruled
Pg: 20 Ln: 21 - 23	Objection: Whether Castle Hill employees who previously worked for VGT had information that belonged to VGT is not relevant to whether Castle Hill misappropriated such information.	Overruled
Pg: 24 Ln: 24 - Pg: 25 Ln: 5	Objection: Whether Castle Hill engineers who previously worked for VGT kept VGT confidential information is not relevant to whether Castle Hill misappropriated such information.	Overruled
Pg: 27 Ln: 12 - Pg: 28 Ln: 10	Objection: Whether Castle Hill engineers who previously worked for VGT kept VGT confidential information upon the termination of their employment is not relevant to whether Castle Hill misappropriated such information.	Overruled
Pg: 31 Ln: 3 - 12	Objection: Whether Castle Hill engineers who previously worked for VGT kept VGT confidential information upon the termination of their employment is not relevant to whether Castle Hill misappropriated such information.	Overruled
Pg: 33 Ln: 14 - 18	Objection: Whether Castle Hill engineers who are former VGT employees kept confidential information upon the termination of their employment is not relevant to whether	Overruled

Designation	Objection	Ruling
	Castle Hill misappropriated such information.	
Pg: 35 Ln: 8	Objection: This is not admissible evidence of veracity.	Sustained
Pg: 35 Ln: 16	Objection: This is not admissible evidence of veracity.	Sustained
Pg: 35 Ln: 23	Objection: This is not admissible evidence of veracity.	Sustained
Pg: 37 Ln: 8 - 23	Objection: Whether a Castle Hill engineer who previously worked for VGT kept confidential information upon his termination from employment with VGT is not relevant to whether Castle Hill misappropriated such information.	Overruled
Pg: 38 Ln: 8	Objection: This is not admissible evidence of Mr. Morgan's veracity.	Sustained
Pg: 38 Ln: 19	Objection: This is not admissible evidence of veracity.	Sustained
Pg: 38 Ln: 25	Objection: This is not admissible evidence of veracity.	Sustained
Pg: 47 Ln: 14 - 22	Objection: Whether Castle Hill engineers who are former VGT employees kept confidential information upon the termination of their employment is not relevant to whether Castle Hill misappropriated such information.	Overruled
Pg: 48 Ln: 9 - Pg: 49 Ln: 3	Objection: Whether Castle Hill engineers who are former VGT employees kept confidential information upon the termination of their employment is not relevant to whether Castle Hill misappropriated such information.	Sustained
Pg: 56 Ln: 11 - Pg: 58 Ln: 19	Objection: This line of questioning about VGT's regulatory compliance is not relevant to any pending claim. The questions about testing labs and their confidentiality obligations are leading, and assume facts not otherwise established.	Sustained
Pg: 59 Ln: 8 - Pg: 60 Ln: 20	Objection: This line of questioning is not relevant to a pending claim, and is beyond the scope of the 30(b)(6) deposition.	Sustained



Designation	Objection	Ruling
Pg: 61 Ln: 4 - Pg: 62 Ln: 3	Objection: This line of questioning about VGT's regulatory compliance is not relevant to pending claims.	Sustained
Pg: 62 Ln: 22 - Pg: 63 Ln: 16	Objection: This line of questioning about a meeting after service of the complaint in this action is not relevant to the pending claims.	Sustained
Pg: 64 Ln: 2 - 9	Objection: This line of questioning about email communications as a substitute for a formal valuation of technology, where the witness did not have access to the underlying data, and has no training or experience in performing valuation analyses, amounts to speculation by a lay witness where expert testimony is required.	Sustained
Pg: 108 Ln: 21 - Pg: 109 Ln: 4	Objection: The question about whether something is "possible" calls for speculation. The question also is beyond the scope of the categories identified for the 30(b)(6) deposition.	Overruled
Pg: 121 Ln: 10 - Pg: 122 Ln: 6	Objection: The question is improper. It assumes facts that have not been established and lacks foundation. Leading.	Overruled
Pg: 124 Ln: 12 - Pg: 125 Ln: 16	Objection: The witness does not have personal knowledge of the background facts, and is repeatedly asked to give opinion evidence without any factual foundation, and the witness does not have the education or training to give valuation opinions.	Overruled
Pg: 128 Ln: 25 - Pg: 129 Ln: 8	Objection: The question improperly asks the witness about another person's intent in drafting a document. Beyond the scope of the categories given for this 30(b)(6) deposition.	Sustained
Pg: 129 Ln: 20 - Pg: 130 Ln: 14	Objection: This line of questioning is designed to obtain valuation testimony from a lay witness. The witness does not have the underlying data to perform a valuation analysis, and also lacks the education and experience to give such an expert opinion.	Overruled

Designation	Objection	Ruling
Pg: 129 Ln: 20 - Pg: 130 Ln: 11	Objection: This line of questioning calls for speculation. The witness did not have the VGT information available to him, and the number was not based on an accepted valuation methodology or expert opinion.	Overruled
Pg: 178 Ln: 7	Objection: Leading	Overruled
Pg: 179 Ln: 19 - 23	Objection: The witness is not competent to testify about another's state or mind or intent. Not relevant.	Overruled
Pg: 179 Ln: 25 - Pg: 180 Ln: 7	Objection: The witness is not competent to testify about another person's state of mind. Not relevant.	Overruled
Pg: 180 Ln: 9 - 13	Objection: Confusion with games of another manufacturer is not relevant to the claims in this case.	Overruled

**K. Andrew Scheiner – April 19, 2018**

Designation	Objection	Ruling
Pg: 91 Ln: 5 – 7	Objection: Leading. The question was also asked of Castle Hill, and the witness was not testifying as a 30(b)(6) designee.	Sustained
Pg: 91 Ln: 8 - 14	Objection: Leading. The witness had no knowledge of such a communication, but he was not testifying as a Rule 30(b)(6) designee.	Sustained
Pg: 92 Ln: 1 - 3	Objection: The witness was not testifying as a Rule 30(b)(6) designee for Castle Hill.	Sustained
Pg: 148 Ln: 1 - 6	Objection: Hearsay	Overruled
Pg: 149 Ln: 1 - 15	Objection: Relevance	Sustained
Pg: 151 Ln: 1 - 18	Objection: Hearsay; relevance	Sustained
Pg: 152 Ln: 2 – 7	Objection. Hearsay; relevance	Sustained
Pg: 153 Ln: 23 - Pg: 156 Ln: 22	Objection: This line of questioning is based on hearsay communications.	Sustained
Pg: 157 Ln: 18 - Pg: 158 Ln: 10	Objection: Hearsay	Sustained
Pg: 158 Ln: 11 - Pg: 159 Ln: 4	Objection: The witness did not have personal knowledge of Castle Hill	Sustained

Designation	Objection	Ruling
	finances, and was not testifying as a Rule 30(b)(6) designee.	
Pg: 163 Ln: 14 - Pg: 164 Ln: 9	Objection: Relevance. Any information on VGT's website is hardly confidential.	Sustained
Pg: 167 Ln: 7 - 16	Objection: The witness did not know the answer to the questions, making the line of questioning not relevant.	Sustained
Pg: 196 Ln: 24 - Pg: 198 Ln: 19	Objection: This entire line of questioning about an idea never disclosed or implemented is not relevant.	Sustained
Pg: 236 Ln: 22 – 25	Objection: The witness has not personal knowledge of such communications by Castle Hill, and he was not testifying for Castle Hill as a Rule 30(b)(6) designee.	Sustained

**L. Zachary Schmid – June 20, 2018**

Designation	Objection	Ruling
Pg: 55 Ln: 7 - 17	Objection: Hearsay	Overruled
Pg: 72 Ln: 2 - Pg: 73 Ln: 13	Objection: Improper Opinion. FRE 701.	Overruled
Pg: 101 Ln: 22 - 25	Objection: Relevance. Improper Opinion. FRE 701.	Overruled
Pg: 102 Ln: 1 - 12	Objection: Hearsay.	Overruled
Pg: 102 Ln: 13 - 20	Objection: Improper Opinion. FRE 701.	Overruled
Pg: 102 Ln: 21 - Pg: 103 Ln: 4	Objection: Improper Opinion. FRE 701.	Overruled
Pg: 107 Ln: 6 - Pg: 111 Ln: 8	Objection: Improper opinion; lack of foundation; asking witness regarding a document he has never seen.	Overruled
Pg: 114 Ln: 15 - Pg: 115 Ln: 14	Objection: Calls for lay opinion; lack of foundation	Overruled

**M. Richard Sisson – April 17, 2018**

Designation	Objection	Ruling
Pg: 93 Ln: 1 - 3	Objection: Mischaracterizes the document; calls for speculation	Overruled
Pg: 93 Ln: 25 - Pg: 94 Ln: 7	Objection: Relevance	Sustained

Designation	Objection	Ruling
Pg: 94 Ln: 17 - 23	Objection: Relevance	Sustained
Pg: 94 Ln: 24 - Pg: 95 Ln: 1	Objection: Misrepresents the document; lacks foundation	Moot in light of ruling above.
Pg: 95 Ln: 2 – 6	Objection: Relevance; calls for a legal conclusion	Sustained
Pg: 95 Ln: 7 - 9	Objection: Calls for speculation	Moot in light of ruling above.
Pg: 95 Ln: 10	Objection: Relevance	Sustained
Pg: 95 Ln: 12 - 15	Objection: Relevance; calls for a legal conclusion	Sustained
Pg: 95 Ln: 16 - 18	Objection: Calls for speculation; calls for a legal conclusion	Moot in light of ruling above.
Pg: 95 Ln: 19 - Pg: 96 Ln: 1	Objection: Relevance	Sustained
Pg: 106 Ln: 9 - Pg: 107 Ln: 11	Objection: Mischaracterizes the document; relevance	Sustained
Pg: 110 Ln: 21 - Pg: 113 Ln: 10	Objection: Relevance	Sustained
Pg: 112 Ln: 15 - 17	Objection: Calls for speculation	Moot in light of ruling above.
Pg: 113 Ln: 14 - 21	Objection: Calls for a legal conclusion; calls for speculation; lacks foundation	Overruled
Pg: 113 Ln: 23 - Pg: 114 Ln: 2	Objection: Calls for speculation; lacks foundation	Overruled
Pg: 114 Ln: 13 - Pg: 115 Ln: 1	Objection: Relevance	Unable to determine relevance as testimony merely identified an email exchange in Exhibit 78.
Pg: 123 Ln: 15 - 25	Objection: Lacks foundation; seeks lay opinion testimony	Overruled
Pg: 133 Ln: 21 - Pg: 134 Ln: 7	Objection: Hearsay	Overruled
Pg: 143 Ln: 23 - Pg: 144 Ln: 11	Objection: Lacks foundation; calls for speculation; hearsay	Overruled
Pg: 145 Ln: 15 – 21	Objection: Lacks foundation; calls for speculation	Overruled
Pg: 149 Ln: 15 - Pg: 150 Ln: 15	Objection: Calls for speculation; lacks foundation	Overruled
Pg: 150 Ln: 17 - Pg: 151 Ln: 2	Objection: Lacks foundation; hearsay; calls for speculation	Overruled
Pg: 152 Ln: 5 – 12	Objection: Calls for speculation; lacks foundation	Overruled
Pg: 157 Ln: 24 - Pg: 158 Ln: 10	Objection: Calls for speculation; lacks foundation; hearsay	Overruled

Designation	Objection	Ruling
Pg: 158 Ln: 24 - Pg: 159 Ln: 11	Objection: Hearsay; lacks foundation; calls for speculation	Sustained
Pg: 161 Ln: 14 - 21	Objection: Calls for speculation; lacks foundation; mischaracterizes the testimony	Overruled
Pg: 162 Ln: 13 - Pg: 163 Ln: 11	Objection: Relevance	Sustained
Pg: 171 Ln: 24 - Pg: 172 Ln: 16	Objection: lacks foundation; hearsay; relevance	Overruled
Pg: 179 Ln: 9 – 21	Objection: lacks foundation; relevance	Unable to determine relevance, as testimony merely identified certain emails in Exhibit 96.
Pg: 187 Ln: 10 - 23	Objection: Seeks lay opinion testimony; calls for speculation; lacks foundation	Overruled
Pg: 188 Ln: 25 - Pg: 189 Ln: 2	Objection: Calls for hearsay; lacks foundation	Sustained
Pg: 191 Ln: 3 – 10	Objection: Calls for hearsay; relevance	Overruled
Pg: 194 Ln: 23 - Pg: 195 Ln: 6	Objection: Mischaracterizes the evidence; calls for speculation	Overruled
Pg: 216 Ln: 1 – 2	Objection: Mischaracterizes the document and testimony	Overruled
Pg: 236 Ln: 22 - Pg: 237 Ln: 3	Objection: Calls for speculation; lacks foundation; mischaracterizes the document; facts not in evidence	Overruled
Pg: 248 Ln: 2 - 16	Objection: Relevance	Sustained
Pg: 281 Ln: 5 - 18	Objection: Relevance	Overruled
Pg: 286 Ln: 2 - Pg: 287 Ln: 5	Objection: Calls for speculation; lacks foundation	Sustained
Pg: 295 Ln: 4 - Pg: 296 Ln: 15	Objection: Relevance; hearsay; double hearsay; lacks foundation; documents lack authenticity	Sustained
Pg: 296 Ln: 16 - 22	Objection: Relevance; hearsay; lacks foundation; documents lack authenticity	Sustained
Pg: 297 Ln: 16 – 22	Objection: Relevance.	Sustained
Pg: 297 Ln: 23 - Pg: 299 Ln: 8	Objection: Relevance	Sustained

**N. Richard Sisson, 30(b)(6) Corporate Designee – August 2, 2018**

<b>Designation</b>	<b>Objection</b>	<b>Ruling</b>
Pg: 19 Ln: 12 - Pg: 20 Ln: 15	Objection: Relevance	Sustained
Pg: 21 Ln: 18 - Pg: 22 Ln: 15	Objection: Relevance	Sustained
Pg: 23 Ln: 3 - 12	Objection: Relevance; hearsay; lack of foundation; documents lack authenticity	Overruled
Pg: 24 Ln: 9 – 25	Objection: Relevance	Sustained
Pg: 46 Ln: 2 - 4	Objection: Relevance; lack of foundation	Overruled
Pg: 46 Ln: 13 - Pg: 47 Ln: 23	Objection: Relevance; lack of foundation; calls for speculation	Overruled
Pg: 48 Ln: 21 - Pg: 49 Ln: 9	Objection: Relevance; lack of foundation	Overruled
Pg: 49 Ln: 13 - 16	Objection: Relevance; lack of foundation	Overruled
Pg: 50 Ln: 8 - 24	Objection: Relevance; lack of foundation	Overruled
Pg: 78 Ln: 24 - Pg: 79 Ln: 3	Objection: Relevance	Sustained

**O. Jason Sprinkle – May 18, 2018**

<b>Designation</b>	<b>Objection</b>	<b>Ruling</b>
Pg: 43 Ln: 5	Objection: Vague and ambiguous; calls for speculation	Overruled
Pg: 55 Ln: 25 - Pg: 56 Ln: 2	Objection: Lack of foundation, calls for speculation; lay opinion testimony	Sustained
Pg: 56 Ln: 23 - 24	Objection: Document speaks for itself	Sustained as to 56:8-15; Overruled as to 56:16 to 57:5
Pg: 67 Ln: 23 - Pg: 68 Ln: 16	Objection: Relevance	Sustained
Pg: 69 Ln: 17 - 18	Objection: Lack of foundation	Overruled
Pg: 70 Ln: 4 - 5	Objection: Lack of foundation	Overruled
Pg: 70 Ln: 16 - 21	Objection: Relevance; lack of foundation; calls for speculation	Sustained
Pg: 70 Ln: 24 - Pg: 71 Ln: 3	Objection: Relevance; lack of foundation; calls for speculation	Sustained
Pg: 90 Ln: 23 - Pg: 91 Ln: 23	Objection: Calls for speculation; lack of foundation; relevance	Sustained
Pg: 92 Ln: 10 - 11	Objection: Vague and ambiguous; lack of foundation; calls for speculation	Overruled

Designation	Objection	Ruling
Pg: 93 Ln: 25 - Pg: 94 Ln: 2	Objection: Calls for speculation	Overruled
Pg: 115 Ln: 13 - 14	Objection: Calls for a legal conclusion	Overruled
Pg: 115 Ln: 23 - 24	Objection: Calls for a legal conclusion	Overruled
Pg: 116 Ln: 13	Objection: Calls for a legal conclusion	Overruled
Pg: 131 Ln: 11 - 22	Objection: Relevance	Overruled
Pg: 133 Ln: 3 - 6	Objection: Relevance; calls for speculation	Sustained
Pg: 133 Ln: 16 - 20	Objection: Relevance; calls for speculation	Sustained
Pg: 133 Ln: 19	Objection: Lack of foundation; mischaracterizes the testimony; calls for speculation	Moot in light of previous ruling.
Pg: 134 Ln: 5 - Pg: 135 Ln: 20	Objection: Relevance; calls for speculation	Sustained
Pg: 136 Ln: 4 - Pg: 137 Ln: 13	Objection: Relevance; calls for speculation	Overruled
Pg: 136 Ln: 22 - 23	Objection: Calls for speculation	Overruled
Pg: 137 Ln: 7 - 8	Objection: Calls for speculation; calls for a legal conclusion	Overruled
Pg: 152 Ln: 11	Objection: Mischaracterizes the testimony	Sustained as to 152:6-21
Pg: 188 Ln: 22	Objection: Lack of foundation; facts not in evidence	Overruled
Pg: 193 Ln: 9 - Pg: 194 Ln: 10	Objection: Lack of foundation; calls for speculation	Overruled
Pg: 197 Ln: 21 - Pg: 198 Ln: 10	Objection: Relevance	Overruled
Pg: 198 Ln: 16 - Pg: 199 Ln: 5	Objection: Relevance (for games no longer at issue)	Overruled, as the exhibit is not presented to the Court to determine the relevance of the objection.
Pg: 204 Ln: 18	Objection: Mischaracterizes the testimony	Overruled
Pg: 208 Ln: 4	Objection: Lack of foundation; mischaracterizes the testimony	Overruled
Pg: 208 Ln: 17	Objection: Mischaracterizes the testimony	Overruled
Pg: 210 Ln: 20	Objection: Mischaracterizes the testimony	Overruled

<b>Designation</b>	<b>Objection</b>	<b>Ruling</b>
Pg: 222 Ln: 7 - 23	Objection: Relevance	Overruled. Arguably goes to willfulness.
Pg: 233 Ln: 19 - 20	Objection: Mischaracterizes the testimony	Overruled
Pg: 244 Ln: 23	Objection: Mischaracterizes the testimony	Overruled
Pg: 244 Ln: 25 - Pg: 245 Ln: 6	Objection: Relevance; hearsay	Overruled
Pg: 246 Ln: 8 - 16	Objection: Lack of foundation; hearsay	Overruled
Pg: 248 Ln: 5 - Pg: 249 Ln: 5	Objection: Relevance; lack of foundation; calls for speculation	Sustained
Pg: 263 Ln: 12 - 25	Objection: Calls for speculation; calls for lay opinion	Overruled
Pg: 266 Ln: 10 - Pg: 267 Ln: 7	Objection: Hearsay; lack of foundation; relevance	Sustained
Pg: 267 Ln: 15 - Pg: 268 Ln: 17	Objection: Hearsay; double hearsay; lack of foundation; relevance; calls for speculation; lack of authentication	Sustained
Pg: 270 Ln: 18 - 19	Objection: Calls for a legal conclusion	Overruled
Pg: 299 Ln: 3 - 25	Objection: Relevance; lack of foundation; calls for speculation	Overruled
Pg: 300 Ln: 6 - 21	Objection: Relevance; lack of foundation; calls for speculation	Overruled
Pg: 301 Ln: 15 - 18	Objection: Relevance; lack of foundation; calls for speculation	Sustained

**P. Jason Sprinkle – July 11, 2018**

<b>Designation</b>	<b>Objection</b>	<b>Ruling</b>
Pg: 328 Ln: 23 - 24	Objection: Mischaracterizes the document	Overruled
Pg: 331 Ln: 18 - 19	Objection: Mischaracterizes the document	Overruled
Pg: 332 Ln: 8	Objection: Asked and answered; mischaracterizes the document	Overruled
Pg: 336 Ln: 13 – 14	Objection: Mischaracterizes the document	Overruled
Pg: 342 Ln: 20 - 22	Oppose the motion to strike	Sustained
Pg: 343 Ln: 21 - 23	Objection: Lack of foundation; calls for speculation	Overruled



Designation	Objection	Ruling
Pg: 345 Ln: 18 - Pg: 346 Ln: 21	Objection: Relevance	Sustained
Pg: 346 Ln: 22 - 23	Objection: Calls for a legal conclusion	Moot as a result of preceding ruling.
Pg: 347 Ln: 22 - Pg: 348 Ln: 22	Objection: Relevance	Sustained
Pg: 350 Ln: 2 - 3	Objection: Lack of foundation; facts not in evidence	Overruled
Pg: 351 Ln: 7 - 13	Objection: Calls for speculation; lay opinion testimony	Overruled
Pg: 351 Ln: 17 - 18	Objection: Facts not in evidence; lack of foundation; mischaracterizes documents and testimony	Overruled
Pg: 375 Ln: 1 - 2	Objection: Mischaracterizes the document	Overruled
Pg: 383 Ln: 7 - 8	Objection: Calls for speculation; mischaracterizes the document	Overruled
Pg: 394 Ln: 9 - 10	Objection: Facts not in evidence; mischaracterizes the testimony	Overruled
Pg: 394 Ln: 17 - 18	Objection: Facts not in evidence; mischaracterizes the testimony	Overruled
Pg: 402 Ln: 25 - Pg: 403 Ln: 5	Objection: Calls for speculation; lay opinion testimony	Overruled
Pg: 407 Ln: 3 - 4	Objection: Calls for speculation	Overruled
Pg: 433 Ln: 18 - 24	Objection: Lack of foundation; hearsay; double hearsay; relevance	Overruled
Pg: 434 Ln: 6 - Pg: 435 Ln: 13	Objection: Lack of foundation; hearsay; double hearsay; relevance; lacks of authentication	Overruled
Pg: 451 Ln: 11	Objection: Mischaracterizes the document and testimony	Sustained as to 451:8-19
Pg: 453 Ln: 3 - Pg: 454 Ln: 13	Objection: Relevance	Overruled
Pg: 454 Ln: 25 - Pg: 455 Ln: 1	Objection: Lack of foundation; calls for speculation	Overruled
Pg: 455 Ln: 7 - 8	Objection: Lack of foundation; calls for speculation	Overruled
Pg: 462 Ln: 5 - Pg: 463 Ln: 18	Objection: Lack of foundation; relevance	Overruled
Pg: 474 Ln: 9 - 10	Objection: Asked and answered	Overruled
Pg: 475 Ln: 3 - 4	Objection: Asked and answered	Overruled

**Q. Paul Suggs – June 8, 2018**

<b>Designation</b>	<b>Objection</b>	<b>Ruling</b>
Pg: 30 Ln: 8 - 18	Objection: Calls for a legal conclusion	Overruled
Pg: 30 Ln: 20 - Pg: 31 Ln: 3	Objection: Calls for a legal conclusion; vague and ambiguous; calls for speculation	Sustained
Pg: 31 Ln: 8 - 16	Objection: Calls for a legal conclusion; vague and ambiguous; relevance	Sustained
Pg: 31 Ln: 22 - Pg: 32 Ln: 7	Objection: Calls for a legal conclusion; improper opinion testimony	Overruled
Pg: 32 Ln: 8 - 19	Objection: Calls for a legal conclusion; improper opinion testimony	Overruled
Pg: 32 Ln: 23 - 24	Objection: Calls for a legal conclusion; improper opinion testimony	Overruled
Pg: 33 Ln: 12 - 18	Objection: Calls for a legal conclusion; improper opinion testimony	Overruled
Pg: 34 Ln: 15 - 18	Objection: Calls for a legal conclusion; vague and ambiguous as to "proprietary information"	Overruled
Pg: 39 Ln: 5 - 8	Objection: Calls for a legal conclusion; vague and ambiguous	Overruled
Pg: 42 Ln: 19 - 21	Objection: Calls for legal conclusion; calls for lay opinion testimony; lack of foundation	Overruled
Pg: 42 Ln: 19 - Pg: 43 Ln: 17	Objection: Calls for legal conclusions and improper opinions regarding what is "generally known"	Overruled
Pg: 48 Ln: 3 - 9	Objection: Calls for a legal conclusion; vague and ambiguous as to "proprietary information"	Overruled
Pg: 48 Ln: 14 - 17	Objection: Calls for a legal conclusion	Overruled
Pg: 49 Ln: 3	Objection: Vague and ambiguous	Overruled
Pg: 65 Ln: 3 - 25	Objection: Hearsay	Overruled
Pg: 76 Ln: 4 - 13	Objection: Hearsay	Overruled
Pg: 76 Ln: 22 - 25	Objection: Calls for speculation	Overruled
Pg: 77 Ln: 9 - 14	Objection: Calls for speculation	Overruled
Pg: 79 Ln: 20 - Pg: 80 Ln: 16	Objection: Calling for legal conclusion regarding what is required under Class II regulations	Overruled
Pg: 80 Ln: 17	Objection: Calls for speculation	Overruled
Pg: 80 Ln: 24 - Pg: 81 Ln: 3	Objection: Calls for speculation	Overruled

Designation	Objection	Ruling
Pg: 81 Ln: 5 - 17	Objection: Vague and ambiguous; use of "similar" is misleading	Overruled
Pg: 85 Ln: 6 - 11	Objection: Calls for speculation	Overruled
Pg: 86 Ln: 17 - Pg: 88 Ln: 8	Objection: Calls for improper opinion	Overruled
Pg: 88 Ln: 25 - Pg: 89 Ln: 5	Objection: Use of "similar" is misleading; vague and ambiguous	Overruled
Pg: 89 Ln: 6	Objection: Vague and ambiguous; asked and answered	Overruled
Pg: 100 Ln: 18 - 21	Objection: Witness testified he did not recognize the document; questioning is improper and lacks foundation	Sustained
Pg: 101 Ln: 15 - 23	Objection: Incomplete quote from deponent	Sustained
Pg: 102 Ln: 14 - 21	Objection: Witness testified he did not recognize the document; questioning is improper and lacks foundation	Sustained
Pg: 104 Ln: 5 - Pg: 105 Ln: 3	Objection: Witness testified he did not recognize the document; questioning is improper and lacks foundation	Overruled
Pg: 164 Ln: 19 - Pg: 165 Ln: 4	Objection: Calls for speculation regarding Mr. Roireau's understanding	Sustained
Pg: 165 Ln: 20 - Pg: 166 Ln: 10	Objection: Calls for speculation; hearsay	Sustained
Pg: 167 Ln: 20	Objection: Calls for speculation	Sustained
Pg: 168 Ln: 5 - 16	Objection: Vague and ambiguous as to "similar feel"	Overruled
Pg: 171 Ln: 21 - 25	Objection: Hearsay	Sustained
Pg: 172 Ln: 22 - 25	Objection: Speculation and lack of foundation; asks for Mr. Suggs' understanding of why Mr. Roireau was saying something, which was based on a conversation Mr. Suggs was not a part of	Sustained
Pg: 173 Ln: 10 - Pg: 174 Ln: 16	Objection: Hearsay	Overruled
Pg: 174 Ln: 17	Objection: Calls for a legal conclusion; calls for speculation	Sustained as to 174:12-19
Pg: 174 Ln: 19 - 23	Objection: Calls for speculation	Sustained
Pg: 220 Ln: 25 - Pg: 221 Ln: 24	Objection: Lacks foundation; calls for speculation and improper opinion; witness testified he has never seen a	Sustained

Designation	Objection	Ruling
	Castle Hill par sheet, so questions about it are improper	
Pg: 223 Ln: 3 - 8	Objection: Calls for speculation	Sustained
Pg: 225 Ln: 22 – 25	Objection: Calls for legal conclusion; vague, ambiguous, and confusing use of "independently developed"	Sustained
Pg: 227 Ln: 5 - 8	Objection: "Prior knowledge" is vague, ambiguous, and confusing	Sustained
Pg: 227 Ln: 15 - 24	Objection: Calls for speculation	Overruled
Pg: 227 Ln: 15 - 21	Objection: Hearsay	Overruled

**R. John Taylor, III – May 30, 2018**

Designation	Objection	Ruling
Pg: 38 Ln: 8 - 15	Objection: Relevance	Overruled
Pg: 47 Ln: 16 - Pg: 48 Ln: 3	Objection: The witness is not competent to testify about the state of mind of another. The witness admitted he was speculating when he used the word "probably" and said his answer was based on a "gut feeling."	Sustained as to 47:19 beginning with the word "Mr." to 48:3.
Pg: 102 Ln: 1 - 10	Objection: The witness admitted he did not know the answer to this question and was speculating based on the contents of the document he was shown that he could not identify or authenticate.	Sustained
Pg: 112 Ln: 20 - 23	Objection: The witness cannot testify about another's mental state and what is important to investors without being told. Calls for speculation.	Overruled
Pg: 135 Ln: 17 - Pg: 136 Ln: 5	Objection: Counsel was being argumentative with and harassing the witness trying to obtain the sound bite desired, when the witness already answered the question.	Sustained
Pg: 165 Ln: 6 - 8	Objection: The document at issue was not written by the witness, but by a third party. The statements in it were not statements of fact, but predictions of future events and performance, and therefore amount to speculation.	Overruled. The witness testified that CHG's investment bankers prepared the document for potential investors, with "as much

Designation	Objection	Ruling
		guidance [from CHG] on it being as correct as possible.”
Pg: 225 Ln: 6 - 10	Objection: The witness was not testifying based on personal knowledge, but was speculating about what was "likely."	Sustained
Pg: 250 Ln: 2 - 3	Objection: Leading	Overruled
Pg: 254 Ln: 25 - Pg: 255 Ln: 2	Objection: Compound and leading	Overruled
Pg: 255 Ln: 24 - 25	Objection: Leading	Overruled
Pg: 262 Ln: 24 - Pg: 263 Ln: 1	Objection: Leading	Overruled
Pg: 263 Ln: 15 - 17	Objection: Leading	Overruled
Pg: 265 Ln: 10 - 11	Objection: Leading	Overruled

**S. Zachary Trover – April 18, 2018**

Designation	Objection	Ruling
Pg: 41 Ln: 10 – 16	Objection. Calls for speculation; no foundation for opinion testimony given	Overruled
Pg: 42 Ln: 8 - 11	Objection: Calls for speculation	Overruled
Pg: 100 Ln: 18 - 20	Objection: This evidence which does not involve consumers is not relevant.	Overruled

**T. Joseph Valandra – September 27, 2019**

Designation	Objection	Ruling
Pg: 5 Ln: 3 - 6	Objection: Hearsay; prejudice; Castle Hill asserts general objections to the entirety of the deposition designations as VGT cannot designate testimony from Castle Hill's expert witness	Overruled; VGT can designate such testimony for the purpose of cross-examination
Pg: 123 Ln: 11 - Pg: 127 Ln: 16	Objection: Relevance; hearsay; double hearsay; lack of foundation	Sustained
Pg: 176 Ln: 16 - 19	Objection: Calls for a legal conclusion	Overruled
Pg: 182 Ln: 14 - 25	Objection: Relevance; hearsay	Overruled
Pg: 185 Ln: 15 - 25	Objection: Lack of foundation; relevance; hearsay	Overruled

Designation	Objection	Ruling
Pg: 186 Ln: 8 - 24	Objection: Lack of foundation; relevance; hearsay	Overruled
Pg: 188 Ln: 13 - Pg: 189 Ln: 22	Objection: Relevance; hearsay; double hearsay; lack of foundation	Overruled
Pg: 190 Ln: 6 - 14	Objection: Lack of foundation; relevance; hearsay	Overruled
Pg: 193 Ln: 17 - Pg: 194 Ln: 3	Objection: Calls for a legal conclusion	Overruled
Pg: 202 Ln: 4 - 14	Objection: Calls for a legal conclusion	Overruled
Pg: 220 Ln: 3 - 19	Objection: Calls for a legal conclusion	Overruled
Pg: 226 Ln: 18 - Pg: 227 Ln: 12	Objection: Lack of foundation; assumes untrue facts that are not in evidence	Overruled
Pg: 229 Ln: 24 - Pg: 230 Ln: 4	Objection: Calls for a legal conclusion	Overruled
Pg: 239 Ln: 16 - 23	Objection: Relevance; lack of foundation	Overruled

**U. Arthur Watson, III – July 12, 2018**

Designation	Objection	Ruling
Pg: 64 Ln: 4 - 18	Objection: Argumentative. Leading. An effort by counsel to testify. No foundation for testimony about the substance of game design from this witness, who lacked personal knowledge of same.	Sustained
Pg: 69 Ln: 16 - 18	Objection: No foundation for this testimony and no showing of personal knowledge.	Overruled
Pg: 74 Ln: 3 - 7	Objection: No foundation. Not relevant.	Overruled
Pg: 167 Ln: 11 - Pg: 168 Ln: 8	Objection: The witness was asked if he could recall the number of electronic gaming machines Castle Hill placed in casinos for various years, and said no. Counsel pressed the issue and the witness speculated.	Overruled
Pg: 188 Ln: 4 - 6	Objection: The witness already testified that that these were not factual statements and were instead projections and the product of speculation.	Overruled
Pg: 188 Ln: 13 - Pg: 189 Ln: 15	Objection: There is no foundation establishing a factual basis for this	Overruled

Designation	Objection	Ruling
	testimony, and it reflects the personal opinion of the witness but is not that of the company under Rule 30(b)(6).	
Pg: 204 Ln: 7 - 15	Objection: This calls for guesswork and speculation when the underlying data has been provided.	Overruled
Pg: 221 Ln: 5 - Pg: 222 Ln: 13	Objection: The alleged value of Castle Hill is not the basis for VGT's damage claim, and testimony about Castle Hill's valuation of itself by its board is therefore not relevant. The testimony also is not a substitute for a professional evaluation by an expert. No proper foundation has been established for a reliable evaluation by the board.	Sustained
Pg: 240 Ln: 3 - 10	Objection: Leading. The witness is not testifying for Castle Hill as a Rule 30(b)(6) witness, and the testimony is not binding on the company. This testimony is not a proper foundation to establish what may be legally protected. Calls for a legal conclusion.	Overruled
Pg: 241 Ln: 7 - 11	Objection: Castle Hill's efforts to protect its information are not relevant to the claims in this case.	Overruled
Pg: 244 Ln: 11 - 18	Objection: There is no foundation to establish through this witness that Castle Hill saved significant development time by hiring VGT former engineers as compared to hiring other software engineers. The testimony is not binding on Castle Hill under Rule 30(b)(6). VGT has not established that Castle Hill hiring its former software engineers was otherwise wrongful.	Overruled

**V. Arthur Watson, III, 30(b)(6) Corporate Designee – August 2, 2018**

Designation	Objection	Ruling
Pg: 32 Ln: 1 – 12	Objection: This line of inquiry calls for speculation about future revenue, when the actual revenue numbers have been produced in discovery.	Sustained
Pg: 47 Ln: 25 - Pg: 48 Ln: 4	Objection: There is no foundation for this witness having knowledge about	Overruled

Designation	Objection	Ruling
	which customers VGT has relationships with, or which customers VGT had relationships with but no longer does.	
Pg: 49 Ln: 11 – 19	Objection: Leading the witness. The question is misleading as well. VGT and Castle Hill are not the only competitors in the casinos where they compete. Castle Hill competes against every other company in the casinos, not just VGT.	Overruled

**W. George Weilacher – February 16, 2018**

Designation	Objection	Ruling
Pg: 18 Ln: 9 - 23	Objection: Relevance	Overruled
Pg: 39 Ln: 11 - 24	Objection: Relevance	Overruled
Pg: 40 Ln: 17 - 20	Objection: Relevance	Overruled
Pg: 53 Ln: 13 - 21	Objection: Relevance; hearsay	Overruled
Pg: 69 Ln: 7 - 22	Objection: Relevance	Overruled
Pg: 133 Ln: 4 - 9	Objection: Relevance	Overruled
Pg: 133 Ln: 24 - Pg: 134 Ln: 17	Objection: Relevance	Overruled
Pg: 147 Ln: 6 - 16	Objection: Lack of foundation; relevance	Overruled
Pg: 150 Ln: 1 - 13	Objection: Relevance	Overruled
Pg: 154 Ln: 19 - Pg: 155 Ln: 2	Objection: Hearsay	Overruled
Pg: 155 Ln: 8 - 13	Objection: Hearsay	Overruled
Pg: 155 Ln: 17 - 18	Objection: Calls for speculation	Overruled
Pg: 155 Ln: 23 - Pg: 156 Ln: 11	Objection: Hearsay	Overruled
Pg: 157 Ln: 7 - 20	Objection: Mischaracterizes testimony	Sustained as to question and answer at 157:3-6
Pg: 158 Ln: 7 - 10	Objection: Relevance	Overruled
Pg: 167 Ln: 5 - Pg: 168 Ln: 4	Objection: Relevance	Overruled
Pg: 200 Ln: 1 - Pg: 202 Ln: 7	Objection: Relevance, as this entire line of questioning has to do with VGT logo symbols and game behavior that are obvious on the face of the game; there is no "trade secret" or even "confidential information" at issue here.	Overruled
Pg: 202 Ln: 13 - Pg: 203 Ln: 12	Objection: Relevance, as this entire line of questioning has to do with VGT logo	Overruled



Designation	Objection	Ruling
	symbols and game behavior that are obvious on the face of the game; there is no "trade secret" or even "confidential information" at issue here.	
Pg: 205 Ln: 11 - 16	Objection: Relevance, as this entire line of questioning has to do with VGT logo symbols and game behavior that are obvious on the face of the game; there is no "trade secret" or even "confidential information" at issue here.	Overruled
Pg: 206 Ln: 16 - 24	Objection: Hearsay; relevance, as this entire line of questioning has to do with VGT logo symbols and game behavior that are obvious on the face of the game; there is no "trade secret" or even "confidential information" at issue here.	Overruled
Pg: 207 Ln: 11 - 18	Objection: Relevance, as this entire line of questioning has to do with VGT logo symbols and game behavior that are obvious on the face of the game; there is no "trade secret" or even "confidential information" at issue here.	Sustained
Pg: 208 Ln: 10 - 21	Objection: Relevance, as this entire line of questioning has to do with VGT logo symbols and game behavior that are obvious on the face of the game; there is no "trade secret" or even "confidential information" at issue here; calls for speculation; lack of foundation	Sustained
Pg: 219 Ln: 13 - 16	Objection: Relevance; hearsay	Overruled
Pg: 228 Ln: 16 - 22	Objection: Relevance; hearsay	Overruled
Pg: 229 Ln: 19 - Pg: 230 Ln: 15	Objection: Relevance; hearsay; lack of foundation	Sustained
Pg: 249 Ln: 9 - 23	Objection: Relevance	Sustained
Pg: 250 Ln: 2 - 15	Objection: Relevance	Sustained
Pg: 251 Ln: 11 - 14	Objection: Relevance; hearsay	Sustained
Pg: 260 Ln: 6 - 9	Objection: Relevance; hearsay	Sustained

**X. Jon Yarbrough – July 11, 2018**

<b>Designation</b>	<b>Objection</b>	<b>Ruling</b>
Pg: 27 Ln: 19 - 22	Objection: Relevance; lack of foundation	Sustained
Pg: 219 Ln: 5 - 18	Objection: Relevance	Sustained
Pg: 221 Ln: 13 - Pg: 222 Ln: 15	Objection: Relevance; lack of foundation; asks for a lay opinion	Overruled
Pg: 222 Ln: 16 - Pg: 223 Ln: 15	Objection: Hearsay; double hearsay; lay opinion testimony; lack of foundation	Overruled
Pg: 224 Ln: 16 - 21	Objection: Hearsay	Overruled
Pg: 226 Ln: 11 - 15	Objection: Lack of foundation; hearsay; relevance	Overruled
Pg: 226 Ln: 16 - 22	Objection: Relevance	Sustained
Pg: 227 Ln: 4 - 7	Objection: Relevance	Sustained
Pg: 227 Ln: 23 - Pg: 228 Ln: 2	Objection: Relevance; lay opinion testimony; lack of foundation; vague and ambiguous	Overruled

**II. OBJECTIONS TO PLAINTIFF'S DISCOVERY RESPONSE DESIGNATIONS**

VGT has designated certain of Castle Hill's responses to interrogatories and requests for admission. Castle Hill notes that each of the responses VGT has designated was made subject to objections as set forth in the respective written response. Castle Hill incorporates each of those objections herein by reference.

**III. OBJECTIONS TO PLAINTIFF'S DEPOSITION COUNTER-DESIGNATIONS**

**A. Sarah Carlson – June 21, 2018**

<b>Designation</b>	<b>Objection</b>	<b>Ruling</b>
Pg: 186 Ln: 3 - 18	Objection: The witness already testified that she has not followed the industry since 2011, so she would not have personal knowledge of changes made by VGT since then.	Overruled, the objection goes to the weight of the testimony.
Pg: 187 Ln: 16 - 24	Objection: This is not relevant evidence of recent changes because the MOSAC reports are not current or even recent.	Overruled
Pg: 189 Ln: 3 - 5	Objection: Asked and answered	Overruled

Designation	Objection	Ruling
Pg: 189 Ln: 3 - 9	Objection: Relevance. The relevant inquiry is not how often changes are made but what changes were made, and their significance.	Overruled
Pg: 195 Ln: 2 - 3	Objection: Calls for speculation/improper opinion	Overruled
Pg: 199 Ln: 8 - 14	Objection: Hearsay; relevance, based on report that was written in 2011 and not relevant to the current market	Overruled
Pg: 199 Ln: 20 - Pg: 200 Ln: 1	Objection: Hearsay; calls for speculation	Sustained
Pg: 199 Ln: 20 - Pg: 200 Ln: 2	Objection: Hearsay; relevance, based on report that was written in 2011 and not relevant to the current market	Sustained on the basis of the preceding objection.

**B. Joshua Davis, 30(b)(6) Corporate Designee – August 3, 2018**

None.

**C. Craig Eubanks – April 25, 2018**

None.

**D. Larry Graham – May 15, 2018**

Designation	Objection	Ruling
Pg: 131 Ln: 15 – 20	Objection: Calls for speculation	Sustained

**E. Will Harvie – June 14, 2018**

Designation	Objection	Ruling
Pg: 28 Ln: 4 - Pg: 29 Ln: 16	Objection: Relevance	Sustained
Pg: 75 Ln: 21 - Pg: 77 Ln: 6	Objection: Hearsay	Overruled
Pg: 79 Ln: 5 - 16	Objection: Hearsay	Overruled
Pg: 80 Ln: 9 - 21	Objection: Hearsay	Sustained
Pg: 90 Ln: 16 - Pg: 91 Ln: 2	Objection: Relevance	Sustained
Pg: 121 Ln: 18 - Pg: 123 Ln: 17	Objection: Hearsay	Sustained
Pg: 125 Ln: 11 - Pg: 126 Ln: 6	Objection: Hearsay	Sustained

Designation	Objection	Ruling
Pg: 130 Ln: 2 - 8	Objection: Hearsay	Sustained
Pg: 131 Ln: 15 - 17	Objection: Hearsay	Sustained
Pg: 133 Ln: 23 - Pg: 135 Ln: 12	Objection: Hearsay	Sustained
Pg: 189 Ln: 7 - 15	Objection: Hearsay	Overruled

**F. Don Kovach, 30(b)(6) Corporate Designee – August 2, 2018**

Designation	Objection	Ruling
Pg: 28 Ln: 18 - Pg: 29 Ln: 10	Objection: Subject to Castle Hill's motion in limine regarding lost profits, lost revenue, or lost profits damages (Doc. 151)	Sustained, based upon the court's ruling on the motion in limine.

**G. David Marsh – May 2, 2018**

Designation	Objection	Ruling
Pg: 147 Ln: 17 - Pg: 148 Ln: 5	Objection: Counter-designation is not based on Castle Hill's designation	Overruled, see 148:12 to 149:1.

**H. Butch McGill – May 10, 2018**

None.

**I. Ryan North – April 26, 2018**

Designation	Objection	Ruling
Pg: 65 Ln: 10 – 16	Objection: Speculation	Overruled

**J. Karl Roelofs – June 14, 2018**

None.

**K. Zachary Schmid – June 20, 2018**

Designation	Objection	Ruling
Pg: 72 Ln: 2 - Pg: 73 Ln: 13	Objection: Improper opinion under FRE 701	Overruled
Pg: 107 Ln: 6 - Pg: 108 Ln: 23	Objection: Improper opinion; lack of foundation; asking witness regarding a document he has never seen	Overruled

Designation	Objection	Ruling
Pg: 109 Ln: 5 - Pg: 111 Ln: 8	Objection: Improper opinion; lack of foundation; asking witness regarding a document he has never seen	Overruled
Pg: 114 Ln: 15 – 19	Objection: Calls for lay opinion; lack of foundation	Overruled

**L. Jay Seigny – July 12, 2018**

Designation	Objection	Ruling
Pg: 61 Ln: 21 – 23	Objection: Speculation	Overruled
Pg: 73 Ln: 24 - Pg: 74 Ln: 1	Objection: Speculation	Overruled

**M. Jay Seigny, 30(b)(6) Corporate Designee – July 12, 2018**

Designation	Objection	Ruling
Pg: 224 Ln: 13 - 19	Objection: Improper opinion	Sustained
Pg: 234 Ln: 21 - Pg: 235 Ln: 1	Objection: Speculation/improper opinion	Overruled
Pg: 243 Ln: 13 - 16	Objection: Hearsay	Sustained
Pg: 246 Ln: 9 - Pg: 247 Ln: 8	Objection: Relevance; improper counter-designation	Sustained as to 246:9-16. Otherwise Overruled
Pg: 247 Ln: 12 - 15	Objection: Relevance; improper counter-designation; hearsay	Overruled
Pg: 248 Ln: 12 - 17	Objection: Relevance; improper counter-designation; hearsay	Overruled
Pg: 248 Ln: 20 - Pg: 249 Ln: 9	Objection: Relevance; improper counter-designation; hearsay	Overruled
Pg: 249 Ln: 14 - 24	Objection: Relevance; improper counter-designation; hearsay	Overruled
Pg: 250 Ln: 4 - 21	Objection: Relevance; improper counter-designation; hearsay; improper opinion testimony	Overruled
Pg: 251 Ln: 11 - 22	Objection: Relevance; hearsay	Overruled
Pg: 261 Ln: 22 - 25	Objection: Relevance	Sustained
Pg: 262 Ln: 17 - Pg: 263 Ln: 5	Objection: Relevance regarding Mr. Seigny's opinion; improper opinion	Sustained

**N. Barry Smitherman – May 11, 2018**

None.

**O. James Starr – May 23, 2018**

<b>Designation</b>	<b>Objection</b>	<b>Ruling</b>
Pg: 24 Ln: 4 - Pg: 25 Ln: 1	Objection: Relevance regarding Mr. Starr's opinion on the similarities between VGT and Castle Hill games	Sustained
Pg: 30 Ln: 11 - 21	Objection: Relevance regarding Mr. Starr's opinion on the similarities between VGT and Castle Hill games; relevance as to games not at issue	Sustained
Pg: 39 Ln: 12 - Pg: 40 Ln: 6	Objection: Relevance regarding Mr. Starr's opinion on the similarities between VGT and Castle Hill games	Sustained
Pg: 62 Ln: 14 - Pg: 63 Ln: 2	Objection: Hearsay	Sustained
Pg: 67 Ln: 1 - 15	Objection: Relevance	Sustained
Pg: 141 Ln: 24 - Pg: 142 Ln: 8	Objection: Hearsay	Sustained
Pg: 146 Ln: 24 - Pg: 147 Ln: 5	Objection: Hearsay	Sustained
Pg: 147 Ln: 11 - 15	Objection: Hearsay	Sustained
Pg: 273 Ln: 9 - 15	Objection: Relevance, as VGT has disclaimed any lost revenue damages	Sustained

**P. John Taylor, III – May 30, 2018**

<b>Designation</b>	<b>Objection</b>	<b>Ruling</b>
Pg: 47 Ln: 16 - Pg: 48 Ln: 3	Objection: The witness is not competent to testify about the state of mind of another. The witness admitted he was speculating when he used the word "probably" and said his answer was based on a "gut feeling."	Sustained as to 47:19 beginning with the word "Mr." to 48:3.
Pg: 112 Ln: 20 - 23	Objection: The witness cannot testify about another's mental state and what is important to investors without being told. Calls for speculation.	Overruled
Pg: 140 Ln: 8 - 19	Objection: Counsel is being argumentative with the witness in an effort to obtain the desired sound bite. But the fact remains that VGT was not	Overruled

Designation	Objection	Ruling
	the only Castle Hill competitor in Oklahoma, or elsewhere.	
Pg: 145 Ln: 8 - 9	Objection: Plaintiff is improperly seeking to exclude responsive testimony because it is unhelpful to plaintiff.	Sustained
Pg: 152 Ln: 18 - 22	Objection: Question calls for speculation about consumer wants and demands.	Sustained
Pg: 152 Ln: 24 - Pg: 153 Ln: 2	Objection: Improper lay opinion that the witness admits is unsupported by market research or other relevant data.	Sustained
Pg: 208 Ln: 15 - 21	Objection: Foundation and lack of personal knowledge. The witness said he did not know, and the designated colloquy amounts to the testimony of counsel.	Overruled
Pg: 218 Ln: 14 - Pg: 219 Ln: 1	Objection: The counter-designation is incomplete. The witness went on to explain that the basis for his comment was that the plaintiff had since been acquired by Aristocrat.	Sustained. The counter-designation shall be expanded to 219:2-5.
Pg: 225 Ln: 10	Objection: The witness was not testifying based on personal knowledge, but was speculating about what was "likely."	Sustained as to 225:6-10.
Pg: 225 Ln: 10	Objection: The witness said he did not know, and when pressed he speculated	Sustained
Pg: 249 Ln: 25 - Pg: 250 Ln: 1	Objection: Leading	Overruled
Pg: 259 Ln: 13 - 14	Objection: Question calls for speculation	Sustained
Pg: 259 Ln: 18 - 20	Objection: Speculation	Sustained
Pg: 262 Ln: 20 - 23	Objection: Leading	Overruled
Pg: 263 Ln: 12 - 14	Objection: Leading	Overruled
Pg: 264 Ln: 13 - 17	Objection: Leading	Overruled
Pg: 265 Ln: 6 - 9	Objection: Leading	Overruled

**Q. Zachary Trover – April 18, 2018**

<b>Designation</b>	<b>Objection</b>	<b>Ruling</b>
Pg: 41 Ln: 10 - 16	Objection: Speculation. No foundation for opinion testimony given.	Overruled
Pg: 42 Ln: 8 - 11	Objection: Calls for speculation about thoughts and mental impressions of others.	Overruled
Pg: 84 Ln: 22 - 25	Objection. The witness was not testifying as a Castle Hill Rule 30(b)(6) witness, and is admittedly not an expert on the industry.	Overruled
Pg: 106 Ln: 6 - 8	Objection. The witness was not testifying as a Castle Hill Rule 30(b)(6) witness, and is not an expert in the industry.	Overruled
Pg: 126 Ln: 21 - Pg: 127 Ln: 17	Objection: Speculation	Sustained
Pg: 132 Ln: 2 - 4	Objection: Hearsay	Overruled
Pg: 132 Ln: 12 - 20	Objection: Speculation; hearsay	Overruled
Pg: 135 Ln: 21 - 23	Objection: Question calls for speculation	Sustained
Pg: 136 Ln: 2 - 4	Objection: Speculation	Sustained

**R. Richard Williamson – June 14, 2018**

None.

**S. Richard Williamson, 30(b)(6) Corporate Designee – October 2, 2018**

None.

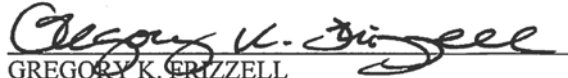
**T. Jon Yarbrough – July 11, 2018**

<b>Designation</b>	<b>Objection</b>	<b>Ruling</b>
Pg: 27 Ln: 19 – 22	Objection: Relevance; lack of foundation	Sustained
Pg: 221 Ln: 13 - Pg: 222 Ln: 15	Objection: Relevance; lack of foundation; asks for a lay opinion	Overruled
Pg: 222 Ln: 16 - Pg: 223 Ln: 15	Objection: Relevance; lack of foundation; asks for a lay opinion	Overruled
Pg: 224 Ln: 16 – 21	Objection: Hearsay	Overruled
Pg: 226 Ln: 11 – 15	Objection: Lack of foundation; hearsay; relevance	Overruled



Designation	Objection	Ruling
Pg: 226 Ln: 16 – 22	Objection: Relevance	Sustained
Pg: 227 Ln: 23 - Pg: 228 Ln: 1	Objection: Relevance; lay opinion testimony; lack of foundation; vague and ambiguous	Overruled

DATED this 28th day of August, 2019.

  
GREGORY K. FRIZZELL  
UNITED STATES DISTRICT JUDGE